

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re : Chapter 7  
:  
MONICA LAVADE WILLIAMS :  
aka MONICA LAVADE BOYD and : Bankruptcy No. 07-13013DWS  
CORDELL AGUE WILLIAMS , :  
:  
Debtors. :  
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**ORDER**

**AND NOW**, this 29th day of May 2007, Debtors having filed a voluntary petition in bankruptcy under chapter 7 on May 24, 2007;

**And** Debtors having failed to file a certificate evidencing prepetition credit counseling, which is an eligibility requirement for bankruptcy relief pursuant to 11 U.S.C. § 109(h)(1) (“an individual may not be a debtor . . . unless such individual has, during the 180-day period preceding the date of filing of the petition by such individual, received from an approved nonprofit budget and credit counseling agency . . . an individual or group briefing (including a briefing conducted by telephone or on the Internet) that outlined the opportunities for available credit counseling and assisted such individual in performing a related budget analysis.”). Thus, the credit counseling requirement should be met before the individual files a voluntary bankruptcy petition;

**And** Debtors having indicated on Exhibit D - Statement of Compliance with

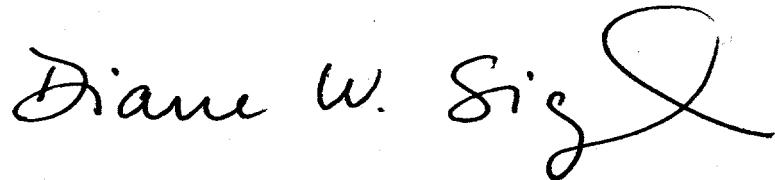
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Credit Counseling Requirement to their petition that exigent circumstances existed pursuant to 11 U.S.C. § 109(h)(3)(A) and having filed a certification in support thereof (the “Certification”);

**And** 11 U.S.C. § 109(h)(3)(A) permitting a debtor to obtain credit counseling after his/her bankruptcy case commenced, but only in very limited circumstances, i.e., a debtor must certify: (1) that he/she sought credit counseling prior to the filing of the petition; (2) such counseling was not available within five days beginning from the date the debtor made the request; and (3) the debtor needed to file his/her petition for valid, emergency reasons and thus could not wait for such counseling to take place;

**And** the Certification merely asserting that Debtors were not aware of the credit counseling requirement, which is not a basis for waiver under § 109(h)(3)(A);

It is hereby **ORDERED** that Debtors’ case shall be and hereby is **DISMISSED** for failure to comply with § 109(h).



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DIANE WEISS SIGMUND  
Chief U.S. Bankruptcy Judge